

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ROEL CONTRERAS
TDCJ #1033124

VS.

NATHANIEL QUARTERMAN

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C.A. NO. C-06-374

**ORDER GRANTING PETITIONER'S
MOTION TO PROCEED *IN FORMA PAUPERIS***

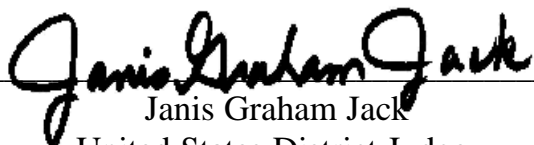
By order and final judgment entered June 21, 2007, the Court granted Respondent's motion for summary judgment and dismissed Petitioner's § 2254 petition as time barred and for failure to state a cognizable claim for federal habeas relief, and denied a certificate of appealability. (D.E. 229, 30). On July 5, 2007, Petitioner filed a notice of appeal. (D.E. 34). Petitioner now seeks leave to proceed *in forma pauperis* on appeal. (D.E. 44).

Petitioner's application indicates that he currently has \$8.44 in his inmate trust fund account. (D.E. 44 at 1). His deposit average for the past six month is \$96.72. Id. He is incarcerated and has no income. Id. His only source of money is from family and friends. Id.

The filing fee for an appeal is \$455.00. The Court finds that Petitioner is indigent and is not able to pay the filing fee.

Accordingly, Petitioner's application to proceed *in forma pauperis* on appeal (D.E. 44), is GRANTED.

ORDERED this 13th day of September, 2007.


Janis Graham Jack
United States District Judge